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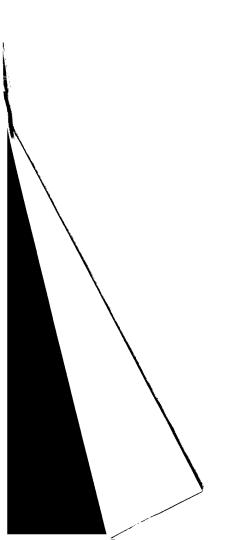


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/682,685	10/05/2001	Tin-Su Pan	GEMS8081.099	GEMS8081.099 8976	
27061 75	90 11/06/2003		EXAMINER		
ZIOLKOWSKI PATENT SOLUTIONS GROUP, LLC (GEMS) 14135 NORTH CEDARBURG ROAD			PASS, BARRY		
MEQUON, WI			ART UNIT PAPER NUMBER		
,			3737	10	
			DATE MAILED: 11/06/2003	1>	

Please find below and/or attached an Office communication concerning this application or proceeding.



	Application No.	Applicant(s)			
Advisory Action	09/682,685	F00, K. F. ET AL			
Auvisory Action	Examiner	Art Unit			
	Barry Pass	3737			
The MAILING DATE of this communication appe	ears on the cover sheet with the c	correspondence add	ress		
THE REPLY FILED 05 September 2003 FAILS TO PLA Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (condition for allowance; (2) a timely filed Notice of Appelexamination (RCE) in compliance with 37 CFR 1.114.	ivoid abandonment of this application () a timely filed amendment whi	cation. A proper repict places the application.	ply to a cation in		
PERIOD FOR RE	EPLY (check either a) or b)]				
a) The period for reply expires <u>3</u> months from the mailing date of					
b) The period for reply expires on: (1) the mailing date of this Adverse, however, will the statutory period for reply expire later the ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The danave been filed is the date for purposes of determining the period of exten 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened (b) above, if checked. Any reply received by the Office later than three most partner adjustment. See 37 CFR 1.704(b).	an SIX MONTHS from the mailing date of FILED WITHIN TWO MONTHS OF THate on which the petition under 37 CFR 1.5 sion and the corresponding amount of the distatutory period for reply originally set in	f the final rejection. E FINAL REJECTION. \$ 136(a) and the appropriate ex the final Office action; or	See MPEP e extension fee tension fee under (2) as set forth in		
1. A Notice of Appeal was filed on Appellant' 37 CFR 1.192(a), or any extension thereof (37 CF					
2. The proposed amendment(s) will not be entered b	ecause:				
(a) \(\square\) they raise new issues that would require furth	er consideration and/or search	(see NOTE below);			
(b) they raise the issue of new matter (see Note I	below);				
(c) they are not deemed to place the application issues for appeal; and/or	in better form for appeal by mat	terially reducing or	simplifying the		
(d) they present additional claims without cancel NOTE:	ling a corresponding number of	finally rejected claim	ns.		
3. Applicant's reply has overcome the following rejection	ction(s):				
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).		separate, timely file	d amendment		
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ received place the application in condition for allow 6. ☐ The affidavit or exhibit will NOT be considered be raised by the Examiner in the final rejection.	vance because: <u>See Continuation</u>	Sheet.			
For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.					
The status of the claim(s) is (or will be) as follows:	:				
Claim(s) allowed:					
Claim(s) objected to:					
Claim(s) rejected:					
Claim(s) withdrawn from consideration:					
8. The proposed drawing correction filed on is	s a)□ approved or b)□ disap	proved by the Exar	niner.		
9. Note the attached Information Disclosure Stateme	ent(s)(PTO-1449) Paper No(s).	·			
10. Other:	9	the	2		
		ENNIS W. RUHL			
	SUPERVISO	DRY PATENT EXAM	inem		

Continuation of 5. the response (a request for reconsideration) to the final rejection does NOT place the application in condition for allowance because: The applicant's arguments have not overcome the rejections under 35 USC 101. Claim 10 claims a program that is capable of being run on a compute, it is not a process claim as stated in the applicant's remarks. In addition, the terminal disclaimers are improper because the person who signed the terminal disclaimer has failed to state his/her capacity to sign for the business entity and is not recognized as an officer of the assignee.